

IN THE 1ST COURT OF APPEALS, HOUSTON, TX

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MICHAEL W. GIOFFREDI	)	FILED IN
	)	1st COURT OF APPEALS
	)	HOUSTON, TEXAS
Plaintiff,	)	2/28/2022 1:18:57 PM
v.	)	CHRISTOPHER A. PRINE
	)	Clerk
	)	Case No. 01-21-00627-CV
THE RETREAT AT RIVERSTONE,	)	
	)	
Defendant	)	
_____	)	

**LETTER IN REGARDS TO VIDEO EXHIBITS**

The Fort Bend County Clerk has informed me today:

“Per the Court of Appeals, our office cannot submit the video exhibits. Everything from us has to be certified. Per county policy, we are unable utilize the USB drive to verify and certify the contents. Per the Court of Appeals, you will need to file something with their office and they will then instruct you on how to proceed with the video exhibits. You may contact their office for further information regarding that.”

I request further instruction from the Appellate Court on how to proceed.

All 36 of my video exhibits were emailed to the court clerk, and sent the the court clerk on a usb drive by request of the court clerk., on and before 7/19/2021, and were specified as the exhibits of evidence cited in my Brief. They were all clearly numbered and labeled. These included Plaintiff Exhibit 116 (Noise\_14\_16.mov) played in court. Since there has been significance defects in how the County Court has filed my documents and exhibits, I request and am entitled to a new trial.

*/s/ Michael W. Gioffredi, 2/28/2022*

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**Michael W. Gioffredi**

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**CERTIFICATE OF SERVICE**

I certify that on *2/28/2022*, a true and correct copy of this document properly was served to the following parties and respective counsel of record in accordance with the Texas Rules of Civil Procedure via email:

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Associated Case Party: MichaelWGioffredi

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
Michael WGioffredi		MichaelGioffredi@gmail.com	2/28/2022 1:18:57 PM	SENT

Associated Case Party: A'drianna Higginbotham

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
A'drianna Higginbotham		adrianna@fultonstrahan.com	2/28/2022 1:18:57 PM	SENT

Associated Case Party: The Retreat at Riverstone

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
Kelli Ashcraft		riverstone@allied-orion.com	2/28/2022 1:18:57 PM	SENT